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RUEHBUL/AMEMBASSY KABUL IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 03 KABUL 003019

SIPDIS

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STATE FOR SCA/FO DAS GASTRIGHT, SCA/A, S/CRS, SCA/PB, S/CT,
EUR/RPM
STATE PASS TO USAID FOR AID/ANE, AID/DCHA/DG
NSC FOR AHARRIMAN
OSD FOR BREZINSKI
CENTCOM FOR CG CFC-A, CG CJTF-76 POLAD
TREASURY FOR D/S KIMMITT, APARAMESWARAN, AJEWELL
REL NATO/ISAF/AS/NZ

E.O. 12958: DECL: 06/21/2016

TAGS: [PGOV](#) [ASEC](#) [KCRS](#) [AF](#)

SUBJECT: LEAHY AMENDMENT GUIDANCE FOR POLICE HUMAN RIGHTS

REF: A) KABUL 2736 B) KABUL 2857 C) STATE 30101

Classified By: AMB NEUMANN FOR REASONS

1.4 (B) AND (D)

11. (U) This is an action request, see para 5.

12. (SBU) As reported ref a, the recent list of 86 senior Afghan National Police officers, as promulgated by the GOA, contained the names of 14 individuals who did not successfully pass the MOI rank reform Selection Board review process. These names were added late by senior GOA official/s. Four of the individuals scored badly on the rank reform written/oral examination but no derogatory human rights information has been discovered regarding them. However, UNAMA has found derogatory information on 10 of the individuals. All 14 individuals are briefly described below, para 6. The full list of 86 names will be sent septel for Washington Leahy vetting.

13. (C) Ref b describes the Probation Board process for these 14 individuals. The process is designed to last four months, beginning o/a July 6 at the end of which time the Board is expected to present its recommendation to Minister of Interior Zarar Moqbil. It is hoped that most or all of the individuals will not be able to pass the Board assessment, and that Zarar will agree with the Board's recommendation to fire them. However, we cannot be sure of this. If any of these candidates remains in place, post assumes that there will be consequences under the Leahy amendment. Post needs to prepare the GOA at the political level against these consequences. In particular, President Karzai will have to be informed that the USG may be compelled under U.S. law to take certain actions if these people are retained in senior ANP positions.

14. (SBU) After referring to the Department's Guide to Leahy Vetting as well as ref c, the existing guidelines do not appear to offer sufficient guidance to post. The situation is not one where a name can be removed from a list for a training course, since the training/mentoring is ANP-wide and the individual is in a leadership position in the ANP.

15. (SBU) Action request: Post requests clarification regarding the consequences of the appointment to senior ANP positions of individuals with human rights records like those listed below. Please also clarify whether these consequences would apply only to the individuals or also to the units they

command, and if so define the term unit in this context. We would also like to understand whether the consequences are waivable. If so, we would appreciate an explanation of how that process would work. If a waiver is a non-starter, it would be helpful to say this now rather than later.

¶6. (SBU) Details regarding the 14 individuals, gleaned from UNAMA investigations, are as follows. Further information will be emailed to the Afghanistan Desk.

- Mir Amanullah Guzar s/o Mir Abdullah, Kabul Police Chief. Tajik from Kabul. Main commander of Shumali Plains front during resistance to the Taliban. Evidence that he still commands an illegal militia. Involved in drug smuggling and other criminal activities (possibly providing armed escorts for drug transport). Has extorted bribes. Has distributed illegally confiscated land to relatives and supporters. Implicated in attacks on Canadian ISAF units in the Kabul area in 2003-04. Allegedly involved in the abduction of three international UN workers after the Presidential election. (MOI sources and others involved in the case at the time confirm Guzar as "ringleader" of the abduction.)

- Mawlawi Abdul Rahman Sayyedkhel s/o Hazrat Din) Parwan Police Chief. Tajik from Parwan. A main commander of Massoud during the resistance. Partner with Haji Almas (a Member of Parliament) and Mir Amanullah Guzar in drug and weapons smuggling and in land usurpation activities. Created an atmosphere of fear and intimidation in Parwan. Three verified complaints of intimidation of candidates and voters with death threats and abusing his power to arbitrarily detain supporters of candidates that were not among his chosen few. Has protected individuals accused of arbitrary detention, intimidation, rape, murder, physical intimidation,

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destruction of private property, and appropriation of land. Informally identified as a Government Official Linked to Illegal Armed Groups (GOLIAG).

- Ghulam Mustafa s/o Mohammad Mohsin) Logar Police Chief. Tajik from Baghlan. Fought on behalf of Massoud during Taliban regime. Banned from the Wolesi Jirga 2005 elections because of links to illegal armed groups (IAGs). Currently heads the most powerful IAG in Baghlan. Has protected his relatives and militiamen from being investigated for murders that they have allegedly committed. Apparently protects his brother Rasul, who is allegedly involved in drug trafficking.

- Abdul Basir Salangi) Nangarhar Police Chief. Tajik from Parwan. Joined the Taliban for a short period and then fought against them. CoP of Kabul until March 2003, where he appointed relatives alleged to have tortured and extorted money from innocent people. CoP of Wardak April 2004 to January 2006, when he was transferred to Nangarhar. In Wardak, maintained ties to known criminals. During the Kabul University protests in mid-2002, he allegedly ordered troops to open fire against the students. Several students were killed and some were detained and tortured, reportedly under his orders. Appears to have been intimately involved in forced evictions and destruction of houses in Shirpur. Allegedly part of a drug trafficking circle.

- Faziluddin Aya s/o Tajudin) Jawzjan Police Chief. Tajik from Parwan. Close ties to Minister of Interior and other MOI senior officials. Several reports from well-placed and credible sources indicate protection of district police chiefs engaged in human rights abuses and drug trafficking, in exchange for payoffs. As Baghlan CoP, was reportedly involved in drug trafficking, nepotism, and bribery.

- Shah Jahan Noori s/o Nasrullah) Ghor Police Chief. Tajik, from Takhar. Failed to arrest suspects in a murder case even though the perpetrators were well known. Supports the tradition of honor killings. Involved in drug trade, corruption in appointment of district police chiefs, and

support of local warlords.

- Mohammad Lega s/o Salim Shah) Laghman Police Chief. Tajik from Baghlan. One of the strongest commanders of Baghlan province, controlling a private militia of approximately 100 people and 200 weapons. While CoP of Baghlan (2002-2004), police there were deeply involved in narco-trafficking, human rights abuses, bribery, and corruption. Oral complaints of Lega's involvement but no official or written complaints. In Kapisa, was thought to direct a criminal gang but no further information available.

- Subhan Qul s/o Ibrahim) Kabul Regional Command Deputy. Uzbek from Takhar. Credible reports of stockpiled weapons in contravention of DIAG. Allegedly took part in the assassination of his colleague Piram Qul's rivals in 1989. Complaints were received of election intimidation by Subhan Qul's men, although no direct proof of his personal involvement.

- Khan Mohammad s/o Dad Mohammad) Balkh/Mazar-e Sharif Police Chief. Alikozai Pashtun from Kandahar. Verified case of illegal detention, June 2006: victim was locked for five days in a bathroom, handcuffed and in cramped conditions. Detention was linked to a debt repayment issue. Consistent reports that Khan Mohammad operated private detention facilities in the south. Other credible reports indicate that he has been involved in drug smuggling, illegal occupation of property, and bribe taking (extortion). Not directly involved in the drug trade, but used his militias (in military uniforms, later in police uniforms) to serve as escorts for drug transport.

- Mohammad Nadir Fahimi s/o Mohammad Baqir) Sar-e Pul Police Chief. Hazara from Bamyan. Closely affiliated with VP Khalili. He or someone under his direct command is accused of murdering a local commander, Hasani. Led fierce factional fighting in 1996 which caused many deaths, although the degree of his responsibility for the murder and displacement of residents is unclear. Allegations of abuse of office and bribe-taking, some unconfirmed.

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- Imamudin s/o Khan Mohammad) Badakhshan Police Chief. Tajik from Takhar. Formerly head of Highway Police Regiment 03 (Kabul-Kandahar), in which capacity is alleged to have inducted militiamen into the unit. Persistent reports of involvement in heroin trafficking by Regiment 03 personnel, apparently protected by Imamudin. Unconfirmed allegations, while he was Mazar CoP, related to corruption, illegal taxation at checkpoints, and permitting drug dealers to pass through checkpoints in exchange for bribes.

- Sayed Mahbood s/o Sayed Masom) Herat RC Deputy. Tajik from Badakhshan. Police officer under Najibullah government. During Taraki regime (1979-84) he was involved in the killing and massacre of anti-Communist elements in Badakhshan (Faizabad).

- Matiullah s/o Asadullah) Paktia Police Chief Deputy. Involved in a documented case of forced marriage.

- Mohammad Nawaz s/o Guhalm Haidar) Gardez RC CID Chief. Pashtun from Nangarhar. No derogatory information.
NORLAND